

## *Soldier Faces Trial Over Leftist Material*

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NEW YORK, May 30 (AP)—An attorney said today a soldier at Ft. Sill, Okla., will be defended in a court-martial there Thursday on the grounds that an order he refused to obey was an unlawful order and a violation of free speech.

Victor Rabinowitz, representing the Emergency Civil Liberties Committee, said Pvt. Andrew Stapp, 23, is accused of refusing to open his foot-locker on the command of his commanding officer.

The attorney said that last September a quantity of literature, including works by Karl Marx and slain Black Muslim leader Malcolm X, had been taken from Stapp by Army au-

thorities. Then in mid-May, Stapp's commanding officer came to the barracks and ordered him to open his foot-locker. Stapp refused, the lawyer said, saying he had a right to keep his own literature.

The locker was broken open, and a quantity of magazines and other literature confiscated, including the Socialist Workers Party "Militant," the Communist "Worker," Ramparts magazine, the I. F. Stone Weekly, and the National Guardian.

Stapp then was charged with refusing to obey the order to open the locker.

"We see this," Rabinowitz said, "as a case involving the right to keep written material . . . a free speech issue."